



THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

LEGISLATIVE ALERT

Issued: March 12, 2009

SB 250 -- Mandatory Sterilization of Cats and Dogs CALIFORNIA

BRIEF SUMMATION: This bill mandates sterilization of most dogs and cats in California. By creating new crimes and imposing new duties on local animal control agencies, this bill would impose a state-mandated local program upon local governments.

CURRENT STATUS: Action is needed IMMEDIATELY. The bill has been introduced and has been assigned to the California Senate Local Government Committee.

WHAT THIS LEGISLATION WILL MEAN TO YOU: SB 250 provides that no person may own, keep, or harbor an unaltered dog except as specified. It would make it unlawful for any person who owns, keeps, or harbors any unspayed or unaltered cat 6 months of age or older to allow or permit that cat to remain outdoors. It would require an owner or "custodian" of an unaltered cat to have the animal spayed or neutered, or provide a certificate of sterility. It would allow an unaltered dog license to be denied or revoked for a variety of reasons.

This bill would require anyone who offers any unaltered dog or cat for sale, trade, or adoption to meet specified requirements and report the sale within 10 days. It would require, if an unaltered dog or cat is impounded pursuant to state or local law, the owner or custodian to meet specified requirements, including paying the costs of impoundment. Requires sterilization if a pet is impounded for any reason.

ARGUMENTS AGAINST THIS LEGISLATION:

** This is a costly unfunded mandate on local governments. Local governments already

have the authority to adopt ordinances to deal with irresponsible pet owners. State action on this matter is unnecessary.

** Experience has shown that mandatory spay and neuter ordinances are costly to administer and ineffective. Analysis of a similar measure last year (AB 1634) by the California Department of Finance showed animal control costs are likely to rise, euthanasia rates increase, and pet licensing drop off. Money will have to be taken from other vital local services.

** Studies show that education has worked and 87% to 95% of owned cats are now sterilized. Approximately 75% of dogs are sterilized. To further increase the numbers of owned cats or dogs sterilized it is necessary to provide low cost or free spay/neuter accessible year round. This bill would do nothing to solve the real problem.

** This bill imposes punishment for impounds of cats or dogs by mandating sterilization of pets before release. On top of other expense to reclaim lost pets this will mean more cats will be left in the shelters.

** There are many reasons why a cat could be impounded by animal services such as fire, earthquake or other disasters. Cats can get loose from a carrier going to the veterinarian, escape from a hotel room or be inadvertently let outside by a careless cat sitter. A cat could end up in a shelter without reflecting owner irresponsibility. This provision means confiscating the reproductive value of a show/breeding cat.

** Complaints from disgruntled neighbors, or any person who wants to harass someone with an intact dog would be encouraged by this bill.

** This is a bad bill, quickly pulled together without regard for existing laws or of the practical consequences. For example, it requires anyone who sells an intact animal to post the animal's license number. But most local jurisdictions do not license cats. Most local jurisdictions do not provide for licensing an animal under the age of four months but most puppies and kittens are sold before they reach that age.

** This legislation will not improve the lives of cats and dogs but will negatively impact responsible owners and breeders, and by placing additional burdens on owners of intact animals. This will lead to an increase of animals in shelters.

** Use of the term "custodian" in the bill, rather than being limited to pet owners, suggests this law would be used to unfairly target feral cat caretakers and other individuals feeding or caring for free-roaming cats. It punishes the people trying to help these unfortunate animals. Kindness becomes a crime.

** If a person is caring for a few freeroaming/feral cats and has not been able to trap some of them for spay/neuter they could be cited and subject to a civil penalty if over a local limit law, when ownership of these cats is not clearly defined.

** The word "custodian" does not change attitudes of those who don't care properly for their animals. Inserting this term in laws actually weakens the accountability of owners for animal abuse. The important factor in reducing the reproduction of unowned/free-roaming cats is the point when a person declares "I own this cat" because this leads to their taking responsibility. The use of inappropriate terms, such as "custodian", dilutes this message and lowers the status of cats in society since owners have responsibilities; "custodian" has no meaning.

ACTION TO TAKE:

ORGANIZATIONS (clubs, rescue groups, etc.) send your faxes NOW to be received by the Committee Consultant, Peter Detwiler to be included in the Bill Analysis OPPOSE list.

**Send your letters on Organization or Club letterhead.

**Reference the title - " Re: OPPOSE SB 250
Dogs and cats: spaying and neutering

INDIVIDUALS AND ORGANIZATIONS: Send letters, faxes and emails to all five Committee Members ASAP. Again, please note in your title/subject line that you OPPOSE SB 250. Please conclude with again noting you OPPOSE SB 250.

IF YOU LIVE IN ONE OF THE FIVE SENATE DISTRICTS OF THE COMMITTEE MEMBERS, PLEASE TRY TO VISIT YOUR REPRESENTATIVE OR THEIR AID. DISTRICT OFFICES ARE ALSO INCLUDED BELOW.

PLANNED MEETINGS (if any): The date the committee will take up SB 250 is unknown at this time. Please act promptly.

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